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South Carolina House of Representatives

# Legislative Update

David H. Wilkins, Speaker of the House

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STATE DOCUMENTS

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OFFICE OF RESEARCH

Room 213, Blatt Building, P.O. Box 11867, Columbia, S.C. 29211, (803) 734-3230

whether a reappointment or re-election of incumbent. Every state board and commission must provide written notification to the Secretary of State's office of the name of any person who resigns from the membership on that board or commission, or of vacancies that occur on that board or commission for any other reason. This written notice must be sent within two weeks of the vacancy and must include the name of the person vacating the position, the district, circuit, seat or position requirements, qualifications, and whether the position is a paid position.

The House and Senate adopted concurrent resolution H.4543 to proclaim September 11 of each year as "**911 Heroes Day**", a day of recognition honoring public safety personnel for the sacrifices they make daily in the line of duty.

The House approved and sent to the Senate H.4510. This bill provides that every person who is a **trainer of an assistance or guide dog**, while engaged in the training of an assistance or guide dog, has the same rights and privileges with respect to access to public facilities and accommodations as blind and disabled persons, including the right to be accompanied by an assistance or guide dog or assistance or guide dog in training, in any of the specified places without being required to pay an extra charge for the assistance dog. A person who uses premises or facilities accommodations accompanied by a dog under the authority of this provision is liable for any damage done to the premises or facilities by the dog.

The House amended, approved, and sent to the Senate H.4546. This bill changes the opening date for the **season for taking shad** in a portion of the Winyah Bay drainage system from February Fifteenth to February First. The bill changes times for use of setnets along portions of the Combahee River so as to provide that they extend from Tuesday noon to Friday noon, local time.

## HOUSE COMMITTEE ACTION

### AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

The full Agriculture, Natural Resources, and Environmental Affairs Committee did not meet this week.

### EDUCATION AND PUBLIC WORKS

The full Education and Public Works Committee did not meet this week.

**H.4568 BOAT RAMP APPLICATION Rep. Witherspoon**

This bill provides that when an application for a boat ramp is not acted upon within ninety days of being filed, the application is deemed approved.

**EDUCATION AND PUBLIC WORKS**

**H.4547 S.C. RAILS TO TRAILS ACT Rep. White**

This bill enacts the South Carolina Rails to Trails Act, providing for the acquisition of abandoned railroad rights-of-way for recreational purposes. The bill provides that the State Department of Transportation shall actively pursue federal funds available under the federal bikeway program (Surface Transportation Act) or other federal or private funding to assist in carrying out the purposes of the bill.

**H.4569 PACT TEST IN CHARLESTON COUNTY Rep. Altman**

This bill provides that the Palmetto Achievement Challenge Test (PACT) shall be administered annually in the School District of Charleston County beginning on the day following completion of the district's 160<sup>th</sup> day of student instruction with the make-up test to be two weeks later. The bill provides for alternative dates under certain conditions. The bill also provides that beginning with school year 2002-03, the annual school term for the schools in the Charleston County School District shall begin on the day after Labor Day.

**S.597 SPECIAL LICENSE PLATES - 501(C)(8) ORGANIZATIONS Sen. Wilson**

This bill provides for the sale and issuance of special license plates for organizations which have obtained certification under Section 501(C)(8) of the Federal Internal Revenue Code.

**JUDICIARY**

**S.721 SPECIAL LICENSE FOR MANUFACTURERS OF FOODS CONTAINING ALCOHOLIC BEVERAGES Sen. McConnell**

This bill establishes a special food manufacturer's license that must be obtained from the Department of Revenue by a person who manufactures in this State food items such as sauces and marinades in which there is an alcoholic beverage ingredient and who does so under an agreement with the alcoholic beverage manufacturer. The special food manufacturers license is required to purchase the alcoholic beverage directly from the manufacturer in containers holding greater quantities of liquor than are sold to a retail consumer. The legislation provides for a biennial license tax of one thousand two hundred dollars.

**H.4578 LOTTERY TICKET PURCHASES UNLAWFUL FOR PERSONS RECEIVING PUBLIC ASSISTANCE Rep. Altman**

This bill provides that a person who receives public assistance who knowingly purchases a lottery game ticket is guilty of a misdemeanor and, upon conviction,



**H.4555 HOME MEDICAL EQUIPMENT & SERVICE PROVIDERS** Rep. Bingham

This bill provides for the licensure and regulation of home medical equipment and services providers, and establishes the South Carolina Board of Pharmacy as the licensing authority

**H.4571 COSMETOLOGY LICENSE** Rep. Moody-Lawrence

This bill provides that the State Board of Cosmetology shall issue a limited license without reexamination to an individual whose license has lapsed if the person is over sixty years of age and practiced under a valid license for more than thirty years. The bill further provides that the scope of practice authorized under such a license is limited to the scope of practice under the individual's former license.

**H.4576 ENGLISH LANGUAGE PROFICIENCY COURSES  
FOR WELFARE RECIPIENTS** Rep. Robinson

This bill authorizes the State Department of Social Services to include in a welfare agreement courses designed to develop proficiency in the English language if an applicant or recipient relies on a foreign language for communication. The bill further provides that failure to attend or complete such courses is not grounds for denying or terminating Family Independence Program services.

## WAYS AND MEANS

**H.4548 REQUIREMENTS FOR FEE IN LIEU  
OF TAXES QUALIFICATION** Rep. W.D. Smith

This bill amends the investment requirements for fee in lieu of taxes qualification by adding that "investments" may, under certain conditions, include amounts expended by a sponsor or sponsor affiliate as a nonresponsible party in a voluntary cleanup contract on the property pursuant to the Brownfields Voluntary Cleanup Program. The bill provides that if the Department of Health and Environmental Control has issued a certificate of completion for the cleanup, and the cleanup investment amounts equal at least one million dollars, the investment threshold requirement is deemed to have been met.

**H.4549 QUALIFICATION FOR JOBS TAX CREDIT** Rep. W.D. Smith

This bill provides that taxpayers which otherwise qualify for the targeted jobs tax credit and which are located and the qualifying jobs are located on property where a response action has been completed pursuant to a nonresponsible party voluntary cleanup project pursuant to the Brownfields Voluntary Cleanup Program, are allowed an additional one thousand dollar credit for each new full-time job created. The bill provides that this credit is permitted for five years beginning in the taxable year following the creation of the job.

**H.4550 EXEMPTION FROM COUNTY TAXES** Rep. W.D. Smith

This bill allows an exemption from county taxes for five years on property subject to a nonresponsible party voluntary cleanup contract for which a certificate of completion has been issued by the Department of Health and Environmental Control.

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immediately the two dollar and five cents reduction in prescription payment reimbursements provided for in Item II of Medicaid Bulletin Pharm 01-06.

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